

Appl. No. 09/503,215
Amdt. dated October 30, 2003
Reply to Office action of July 1, 2003

REMARKS

Claims 1-26, 28-33, 36 and 41-47 are pending in the application. The Advisory Action mailed on September 24, 2003 states that Applicant's Amendment and Request for Reconsideration mailed on September 2, 2003 did not place the application in condition for allowance. The Advisory Action further states that the proposed amendments were not entered.

The Office Action mailed on July 1, 2003 rejected Claims 1-26, 28-33, 36 and 41-47. Claim 22 is objected to for informalities. Claims 1-2, 4-16, 18-20, 28-33, 36 and 41-47 are rejected under 35 U.S.C. 102(b). Claims 3, 17 and 21-26 are rejected under 35 U.S.C. 103(a). Claim 22 is amended to correct minor infelicities. Claims 1, 15, 21-23, 28-31, 36 and 41 are amended to clarify what is claimed as the invention. No new matter has been added to the application. Applicants respectfully request reconsideration of the objections and rejections in view of the following remarks.

Claims 1-2, 4-16, 18-20, 28-33, 36, and 41-47 are rejected under 35 U.S.C. 102(b) as being anticipated by *Fortin* (U.S. Patent No. 5,528,753). Claims 3, 17, 21-26 are rejected under 35 U.S.C. 103(a) over *Fortin* and further in view of *Peek* (U.S. Patent No. 5,481,706). Applicants respectfully disagree.

The Office Action rejected independent Claim 1 by citing a procedure described in *Fortin* for monitoring a routine. Claim 1, as amended, teaches "modifying an executable file to invoke a user-supplied function in place of an original function, the user-supplied function injecting a fault into the executable file..." The method taught by Claim 1 is significantly different from the procedure in *Fortin* cited by the Office Action.

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The procedure in *Fortin* is directed to the sequential execution of a target routine, an entry routine, and an exit routine when the target routine is called such that the entry and exit routines collect information about the target routine. *Fortin* does not disclose anything about a "user-supplied function injecting a fault into the executable file" as recited in Claim 1. Applicants respectfully submit that the rejection of Claim 1 is overcome and request that the rejection be withdrawn.

Claims 15, 21, 23, 28-31, 36 and 41, as amended, include limitations substantially similar (albeit different in other important ways) to the limitations claimed in the currently amended Claim 1. As discussed above, Claim 1 is allowable. Thus, Claims 15, 21, 23, 28-31, 36 and 41 are allowable for at least the same reasons that Claim 1 is allowable, and notice to that effect is solicited. Furthermore, Dependent Claims 2-14, 16-20, 22, 24-26, 32, 33 and 42-47 are allowable for at least the same reasons that the base claims on which they rely are allowable, and notice to that effect is solicited.


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CONCLUSION

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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